

# Notice of Allowability

Application No.

09/961,171

Examiner

Jefferson A. Evans

Applicant(s)

YUASA ET AL.

Art Unit

2652

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the AF Amendment filed 2-28-2005.
2. ☒ The allowed claim(s) is/are 2-7, 17, 18, and 20 (renumbered as 1-3, 5-7, 4, 8, and 9 respectively).
3. ☒ The drawings filed on 24 September 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Page 15 – line 9, "Fig. 2 is" has been deleted and replaced with  
-- Figs. 2(a) and 2(b) are --;  
- line 12, "Fig. 3 is" has been deleted and replaced with  
-- Figs. 3(a) and 3(b) are --;  
- line 15, "Fig. 4 is" has been deleted and replaced with  
-- Figs. 4(a) and 4(b) are --;  
- line 20, "Fig. 6 is" has been deleted and replaced with  
-- Figs. 6(a) and 6(b) are --;  
- line 23, "Fig. 7 is" has been deleted and replaced with  
-- Figs. 7(a) and 7(b) are --;  
- line 35, "Fig. 11 is" has been deleted and replaced with  
-- Figs. 11(a) and 11(b) are --;

Page 16 – line 21, "Fig. 14 is" has been deleted and replaced with  
-- Figs. 14(a) to 14(d) are --;  
- line 24, "Fig. 15 is" has been deleted and replaced with  
-- Figs. 15(a) to 15(d) are --;  
- line 30, "Fig. 16 is" has been deleted and replaced with

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-- Figs. 16(a) to 16(d) are --;

- line 36, "Fig. 17 is" has been deleted and replaced with

-- Figs. 17(a) and 17(b) are --;

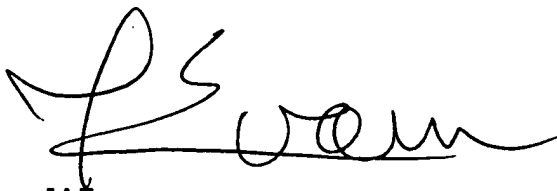
Page 17 - line 2, "Fig. 18 is" has been deleted and replaced with

-- Figs. 18(a) and 18(b) are --.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferson A. Evans whose telephone number is 571-272-7574. The examiner can normally be reached on Monday to Friday, 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JAE

March 9, 2005

Jefferson A. Evans  
Primary Examiner  
Art Unit 2652

**JEFFERSON EVANS  
PRIMARY EXAMINER**